



BellSouth Telecommunications, Inc.
333 Commerce Street, Suite 2101
Nashville, TN 37201-3300

guy.hicks@bellsouth.com

REC'D TN
REGULATORY AUTH.
NOV 29 AM 11 59
November 29, 2001
OFFICE OF THE
EXECUTIVE SECRETARY

Guy M. Hicks
General Counsel

615 214 6301
Fax 615 214 7406

VIA HAND DELIVERY

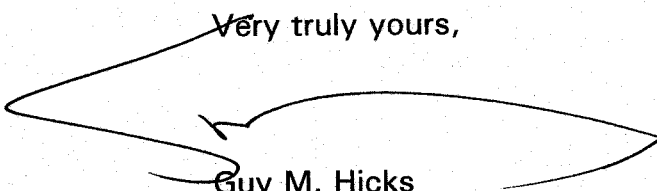
David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

Re: *Docket to Determine the Compliance of BellSouth
Telecommunications, Inc.'s Operations Support Systems with State
and Federal Regulations*
Docket No. 01-00362

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth's Second Supplemental Response to Item No. 36 of the CLEC's interrogatories propounded on September 27, 2001. Copies of the enclosed are being provided to counsel of record.

Very truly yours,



Guy M. Hicks

GMH:ch
Enclosure

REQUEST: From January 2001 to present, for each individual state in BellSouth's region and for the BellSouth region in total, please identify the achieved flow through rate and the CLEC error excluded flow through rate, by interface (i.e., LENS, TAG, EDI, and all interfaces) for the following categories:

- a) LNP;
- b) UNE;
- c) Business Resale;
- d) Residence Resale; and
- e) Total (i.e., UNE, Business Resale, and Residential Resale combined)

RESPONSE: BellSouth does not produce this data on flow through rates on a per state basis. Please reference the attached file, *TN Docket No. 01-00362 No. 36.xls*, for the BellSouth for the achieved flow through rate and the CLEC error excluded flow through rate, by interface for the months of January 2001 through August 2001.

SECOND SUPPLEMENTAL RESPONSE:

This Second Supplemental Response to AT&T Interrogatory 36 is submitted in accord with the Pre-Hearing Officer's undated order denying

BellSouth's Motion to Clarify related to the Pre-Hearing Officer's Order related to BellSouth's response to AT&T's Interrogatory 36.

1. The information requested -- flow-through rates presented on a state-by-state basis from January 2001 to present -- does not exist.

2. The underlying data necessary to calculate such rates does exist, in some form, inasmuch as BellSouth retains information regarding LSRs submitted and information regarding those LSRs in its databases.
3. Since the data does exist in some form, with the appropriate programming work, time and expenditure, a program could be created that could extract such information on a state-by-state basis.
4. BellSouth has researched this matter, and has instructed its affected employees to determine what would be required in order to do such programming to respond to the subject data request. In response, those BellSouth employees have indicated that if the task were begun on November 30, 2001, it would take until the first week in March, 2002, and at a substantial cost, to accomplish this task, a period of more than 90 days.
5. Based on this analysis of the time required to complete the necessary programming revisions, and to make the required runs, it was not technically feasible for BellSouth to respond to AT&T's interrogatory 36 (even assuming that an interrogatory that requires the production of a report that did not exist could be proper in the first instance), in the time between the point that the interrogatory was posed, September 17, 2001, and the time the response was due, which was originally October 12, 2001. Furthermore, it was not technically feasible to produce the answer in the time between when the interrogatory was posed, and the date scheduled for this hearing to begin, December 3, 2001, even if BellSouth had understood that it might be required to produce a document or result that did not exist at the time the interrogatory was served. Therefore, BellSouth cannot produce the requested information based on technical infeasibility.

6. If required by the TRA, BellSouth will identify the employee who is responsible for this process and whose subordinates' time and availability are determinative in large measure of the time required to complete the tasks required by Interrogatory 36. If the Pre-Hearing Officer determines it to be necessary, BellSouth will bring this employee to Nashville to explain why the preparation of such reports would require the time noted and to answer any questions the Pre-Hearing Officer might have as to the accuracy of these representations.
7. Even though it is not technically feasible to provide the reports that AT&T requested in the time required, BellSouth would make two further observations that appear relevant to the resolution of this matter. First, the absence of state-by-state information on flow-through does not and cannot reflect on the regionality of BellSouth's OSS systems. If such reports did exist, they would in fact be irrelevant and no one, including AT&T, can articulate any reason that would demonstrate to the contrary. AT&T does not, for instance, have ordering centers in Tennessee. Their orders flow from customers located all over this region into regionalized, and often national, call centers. A residential resale order submitted on behalf of a customer in Tennessee may well come to BellSouth from the same national AT&T call center as would a similar residential resale order submitted for a customer in Florida or anywhere else in the region. AT&T has not, and cannot dispute that ordering is relatively highly regionalized without contradicting the prior sworn testimony of AT&T's witnesses. Just as AT&T's orders originate from regional/national centers, these orders come to regional, not state-specific, BellSouth centers. Of course, flow-through measures what happens in the ordering process.

Importantly, if a CLEC submitted exactly the same type of order at the same time, correctly completed, in all 9 states, the flow-through rate for such orders would be exactly the same in all states.. Indeed, the only reason that a flow-through rate will vary from state to state is if the mixture of the type of orders submitted by the CLECs themselves varies from the regional average. The point is, a state-by-state flow-through rate doesn't tell anyone anything about how flow-through is working, but only reflects the business plans of the CLECs in each state, which bears no relationship at all to the regionality of the OSS systems.

The second point is that while BellSouth cannot comply with the Pre-Hearing Officer's order to produce the requested data for the period beginning in January 2001 to present until at least March, 2002, BellSouth acknowledges that it could engage in a manual process that would allow BellSouth to produce a statement of state-by-state flow-through rates for 9 states for a single month by the end of December, 2001, assuming no unforeseen problems arise. What BellSouth would have to do is to take a month, such as October 2001, and manually separate the data for each state in to a separate database. No mechanical means of doing this presently exists. After separating the data into a separate database for each state, each individual database could be run using the current existing programming, and the results would approximate a state specific flow-through rate. BellSouth has not undertaken this manual effort because the production of a single month's results was not what the interrogatory requested nor is it what the Pre-Hearing Officer ordered. Moreover, BellSouth could not have used this manual process to provide the same information for each of the months requested by AT&T in Interrogatory 36, in the time frames noted above. In fact, it would have taken BellSouth longer to produce the requested rates on a manual basis, than it would have taken to simply do the reprogramming

discussed above. Thus, BellSouth might have been able to produce data for a month or two using a manual process, it was simply not technically feasible to provide an answer to Interrogatory 36 in the time available between the time of the request and the hearing in this matter.

BellSouth would produce state-by-state flow through reports as requested in Interrogatory 36 and as ordered by the Pre-Hearing Officer if it were possible to do so. BellSouth would do so even though the production of these reports, as discussed above, would not be relevant or beneficial in addressing the regionality of BellSouth's OSS. State-by-state flow-through reports simply would not tell the Authority anything more than the regional flow-through reports except, perhaps how the CLEC chooses to do business. Indeed, BellSouth would prefer, above all else, to have absolutely no conflicts with the TRA or the other parties to this proceeding relating to the availability and production of data. The simple truth is that the flow-through rates requested do not presently exist, and could only be created, at significant cost, in the manner and within the time frames noted above. Flow-through rates cannot be approximated by any shortcut known to BellSouth and would not offer the Authority any insight into the flow-through process that is not found in the regional reports, if they did exist, other than to reflect the fact that CLECs in different states may have different business plans.

CERTIFICATE OF SERVICE

I hereby certify that on November 29, 2001, a copy of the foregoing document was served on counsel for known parties, via the method indicated, addressed as follows:

☐ Hand
☐ Mail
☒ Facsimile
☐ Overnight

James P. Lamoureux
AT&T
1200 Peachtree St., NE, #4068
Atlanta, GA 30367

☐ Hand
☐ Mail
☒ Facsimile
☐ Overnight

James Wright, Esq.
United Telephone - Southeast
14111 Capitol Blvd.
Wake Forest, NC 27587

☐ Hand
☐ Mail
☒ Facsimile
☐ Overnight

H. LaDon Baltimore, Esquire
Farrar & Bates
211 Seventh Ave. N, # 320
Nashville, TN 37219-1823

☐ Hand
☐ Mail
☒ Facsimile
☐ Overnight

Henry Walker, Esquire
Boult, Cummings, et al.
P. O. Box 198062
Nashville, TN 37219-8062

☐ Hand
☐ Mail
☒ Facsimile
☐ Overnight

Jon E. Hastings, Esquire
Boult, Cummings, et al.
P. O. Box 198062
Nashville, TN 37219-8062

☐ Hand
☐ Mail
☒ Facsimile
☐ Overnight

Timothy Phillips, Esquire
Office of Tennessee Attorney General
P. O. Box 20207
Nashville, Tennessee 37202

☐ Hand
☐ Mail
☒ Facsimile
☐ Overnight

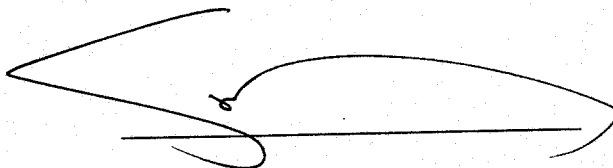
Charles B. Welch, Esquire
Farris, Mathews, et al.
618 Church St., #300
Nashville, TN 37219

☐ Hand
☐ Mail
☒ Facsimile
☐ Overnight

Terry Monroe
Competitive Telecom Assoc.
1900 M St., NW, #800
Washington, DC 20036

- ☐ Hand
- ☐ Mail
- ☒ Facsimile
- ☐ Overnight

Jack Robinson, Esquire
Gullett, Sanford, Robinson & Martin
230 Fourth Ave., N., 3d Fl.
Nashville, TN 37219-8888

A handwritten signature in black ink, appearing to read 'J. Robinson', written over a horizontal line.